



COMMUNITY DEVELOPMENT DEPARTMENT

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PLANNING COMMISSION

TUESDAY, MAY 28, 2002

**CITY COUNCIL CHAMBERS
CIVIC CENTER
17555 PEAK AVENUE
MORGAN HILL, CA**

COMMISSIONERS

CHAIR BARBARA SULLIVAN
VICE-CHAIR PATRICIA MCMAHON
COMMISSIONER GENO ACEVEDO
COMMISSIONER ROBERT J. BENICH
COMMISSIONER RALPH LYLE
COMMISSIONER JOSEPH MUELLER
COMMISSIONER CHARLES D. WESTON

REGULAR MEETING - 7:00 P.M.

***** A G E N D A *****

NOTICE TO THE PUBLIC

The following policies shall govern the conduct of the Planning Commission meetings:

- *All Planning Commission proceedings are tape-recorded.*
- *Individuals wishing to address the Planning Commission on a particular item should fill out a speaker card and present it to the Secretary. This will assist the Chairperson in hearing your comments at the appropriate time.*
- *When the Chairperson invites you to address the Commission, please state your name and address at the beginning of your remarks.*
- *Speakers will be recognized to offer presentations in the following order:*
 - *Those supporting the application*
 - *Those opposing the application*
 - *Those with general concerns or comments*
 - *Presentations are limited to 5 minutes.*

DECLARATION OF POSTING OF AGENDA IN ACCORDANCE WITH

GOVERNMENT CODE SECTION 54954.2 - SECRETARY REPORT
OPEN PUBLIC COMMENT PERIOD (5 MINUTES)

Now is the time for presentation from the public on items **NOT** appearing on the agenda that are within the Planning Commission's jurisdiction. Should your comments require Commission action, your request will be placed on the next appropriate agenda. No Commission discussion or action may be taken until your item appears on a future agenda. You may contact the Planning Division for specific time and dates. This procedure is in compliance with the California Public Meeting Law (Brown Act) G.C. 54950.5. Please limit your comments to five (5) minutes.

OLD BUSINESS:

1. **ZONING AMENDMENT, ZA-00-05: HALE-GLENROCK/SHEA HOMES:** A request to approve a revised precise development plan for 67 acre Capriano development located on the south side of Tilton Ave., east side of Hale Ave., west of the railroad tracks. The proposed development plan includes 38 single family attached homes and 172 single family detached homes. (APN 764-09-06, 16, 17, 31, 30 and all lots on 764-54 and 764-55).

Recommendation: Table

NEW BUSINESS:

2. **DEVELOPMENT AGREEMENT AMENDMENT, DAA-00-05: MALAGUERRA-MANCIAS:** A request for approval of a development agreement amendment to allow for an extension of time for the construction of a 15 unit single-family project located along the south side of Malaguerra Ave. in the R1 (20,000) RPD zoning District. (APN 728-35-016 & 017)

Recommendation: Adopt Resolution No. 02-39, with recommendation to forward to the City Council for approval.

3. **DEVELOPMENT AGREEMENT AMENDMENT, DAA-00-08: BERKSHIRE-SINGH:** A request for approval to amend an existing development agreement for a four-unit project proposed at the northeast corner of Hale Ave. and Llagas Rd. The development agreement would extend the building allocations for one year. (APN 764-23-054)

Recommendation: Adopt Resolution No. 02-40, with recommendation to forward to the City Council for approval.

4. **DEVELOPMENT AGREEMENT AMENDMENT, DAA-01-06: COCHRANE-COYOTE ESTATES:** A request to amend the development agreement for phase six of the coyote estates project to be located near the intersection of Cochrane Rd. and Peet Rd. The amendment request would extend five building allocations for six months. (APN 728-42-008, 017, & 728-43-021)

Recommendation: Adopt Resolution No. 02-41, with recommendation to forward to the City Council for approval.

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5. **USE PERMIT, UP-02-03: TENNANT-SAFEWAY:** A request for approval of a conditional use permit to allow for the construction of a 12 pump gas station to be located at the south east corner of the intersection of Monterey Rd. and Tennant Ave. The proposed gas station will be located within the Tennant Station Shopping Center PUD. (APN 817-06-040)

Recommendation: Approve Resolution No. 02-38.

TENTATIVE UPCOMING AGENDA ITEM FOR THE JUNE 11, 2002 MEETING:

- **GPA-01-09: City of Morgan Hill-Adoption of Housing Element**
- **ZA-01-15: Cochrane-Coyote Estates**
- **SD-01-10: Cochrane-Coyote Estates**
- **ZA-01-16: Cochrane-Mission View**
- **SD-01-11: Cochrane-Mission View**
- **UP-02-04: Monterey-Charter School of Morgan Hill**
- **Subcommittee recommendations regarding changes to the RDCS standards and criteria**

ANNOUNCEMENTS

CITY COUNCIL REPORTS

ADJOURNMENT

SPEAKER CARD

IN ACCORDANCE WITH GOVERNMENT CODE 54953.3, IT IS NOT A REQUIREMENT TO FILL OUT A SPEAKER CARD IN ORDER TO SPEAK TO THE PLANNING COMMISSION. HOWEVER, it is very helpful to the Commission if you would fill out the Speaker Card that is available on the counter in the Council Chambers. Please fill out the card and return it to the Deputy City Clerk. As your name is called by the Chairperson, please walk to the podium and speak directly into the microphone. Clearly state your name and address and proceed to comment upon the agenda item. Please limit your remarks to three (3) minutes.

NOTICE

AMERICANS WITH DISABILITY ACT (ADA)

The City of Morgan Hill complies with the Americans with Disability Act (ADA) and will provide reasonable accommodation to individuals with disabilities to ensure equal access to all facilities, programs and services offered by the City.

If assistance is needed regarding any item appearing on the Planning Commission agenda, please contact the Office of the City Clerk at City Hall, 17555 Peak Avenue or call 779-7259 or Hearing Impaired only - TDD 776-7381 to request accommodation.

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NOTICE

NOTICE IS GIVEN pursuant to Government Code Section 65009, that any challenge of any of the above agenda items in court, may be limited to raising only those issues raised by you or on your behalf at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to the Public Hearing on these matters.

NOTICE

The time within which judicial review must be sought of the action taken by the Planning Commission which acted upon any matter appearing on this agenda is governed by the provisions of Section 1094.6 of the California Code of Civil Procedure.

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